

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BARBARA HUBBARD,	)	Civil No. 08cv0471 JAH (LSP)
Plaintiff,	)	<b>ORDER RE: MOTION TO</b>
v.	)	<b>DISMISS [Doc. No. 17]</b>
C.V.CENTER, INC., et. al.,	)	
Defendants.	)	

On June 3, 2008, Defendant Casual Dining Services, Inc. filed a notice of withdrawal of its motion to dismiss. The Court notes Defendant Jamba Juice Company filed a joinder in the motion on May 21, 2008, but did not file a reply. The Court finds it appropriate to vacate the hearing date to determine whether Jamba Juice intends to prosecute the motion in light of Casual Dining Services withdrawal.

Accordingly, **IT IS HEREBY ORDERED:**

1. The hearing on Defendant Casual Dining Services motion to dismiss set for June 9, 2008 is **VACATED**.
2. If Defendant Jamba Juice wishes to proceed with the motion, it should file a notice of its intent **on or before June 13, 2003**. The notice must include notice of the hearing before this Court for **June 23, 2008 at 2:30 p.m.**

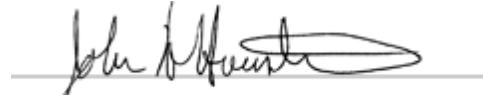
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3. If Defendant Jamba Juices files its intent to proceed with the motion, it may  
file and serve a reply in support on the motion **on or before June 13, 2008**.

DATED: June 3, 2008

  
JOHN A. HOUSTON  
United States District Judge